

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 2016

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
LIC 79-7174	Yes ☐	Yes ☐		Yes ☐	Yes ☐
LIC 79-7173	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Iris Lundgren

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Richard and Denise Laritz

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

P.O. Box 1197

Mailing address

Kiggins

City

Id

State

83549

ZIP

208-863-7172 (Mrs)

Telephone

208-469-0518 (Mr)

Email

denise.laritz @ msn.com

4. If the water rights and/or adjudication claims were split, how did the division occur?

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.

☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 1/27/2012

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.

☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).

☒ Filing fee (see instructions for further explanation):

o \$25 per *undivided* water right. x 2

o \$100 per *split* water right.

o No fee is required for pending adjudication claims.

☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.

☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE #

79-7173

8. Signature: [Signature]

Signature of new owner/claimant

owner

Title, if applicable

Date

2-5-16

- Signature: [Signature]

Signature of new owner/claimant

owner

Title, if applicable

Date

2/5/2016

For IDWR Office Use Only:

Received by [Signature]

Date

2/12/16

Receipt No.

W043890

Receipt Amt.

\$50⁰⁰Active in the Water Supply Bank? Yes ☐ No ☒

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☒Name on W-9 [Signature]Approved by [Signature]Processed by [Signature]

Date

3/2/16

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07173

Change
of
ownership

Priority: July 5, 1989

Maximum Diversion Rate:
Maximum Diversion Volume:

0.01 CFS
0.1 AF

This is to certify, that IRIS H LUNDGREN
C/O GEORGE KAUFMAN
995 HAAS RD
WEISER ID 83672

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 5, 1988; and
has submitted Proof of Beneficial Use on June 7, 1989. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to RACE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SEWNNE), Sec. 10, Township 24N, Range 01E
IDAHO County

PLACE OF USE: STOCKWATER
TWN RGE SEC
24N 01E 10 Lot 2 (NWNE)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Right 79-07174 is also diverted at the point of diversion described above.
6. The total combined rate of diversion under this right and Right 79-07174 shall not exceed .04 cfs.

SCANNED

MAY 07 1986

1/2" x 24" REBAR - SET

1/2" x 24" REBAR - SET

CALCULATED POINT

PROPERTY BOUNDARY LINE

CENTER LINE ROAD

W.C. WITNESS CORNER

() DATA OF RECORD

BASIS OF BEARING

N89°52'10"E 2633.53'

N1/4 Corner
Section 10
CP&F Inst.
No. 457091

CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.

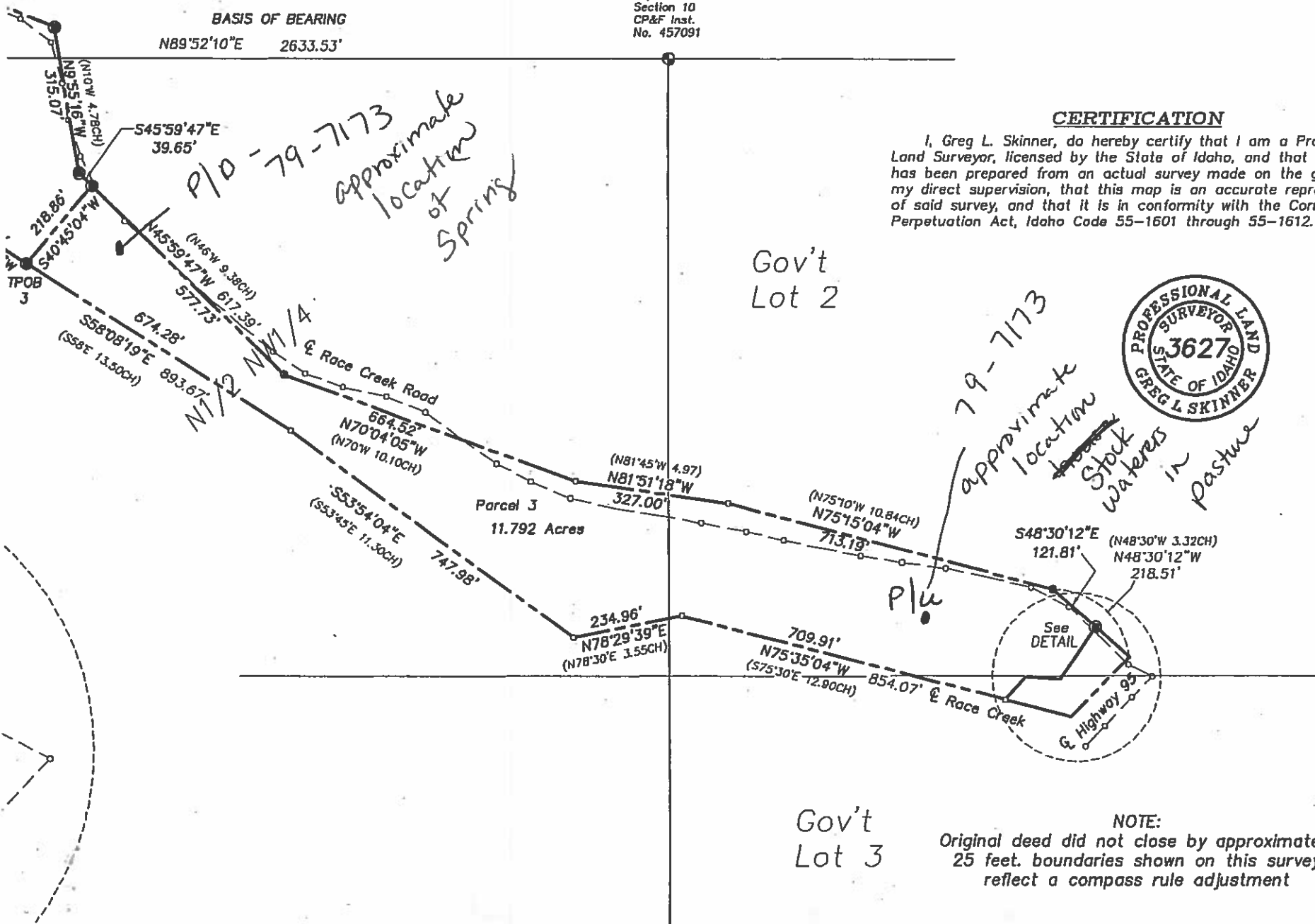


Gov't
Lot 2

79-7173
approximate
location
stock
waters in
pasture

Gov't
Lot 3

NOTE:
Original deed did not close by approximately
25 feet. boundaries shown on this survey
reflect a compass rule adjustment



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07174

change of ownership

Priority: July 5, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that IRIS H LUNDGREN
C/O GEORGE KAUFMAN
WEISER ID 23672

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 5, 1988; and
has submitted Proof of Beneficial Use on June 7, 1989. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to RACE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SEWNNE), Sec. 10, Township 24N, Range 01E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

24N 01E 10 Lot 2 (NWNE)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Right 79-07173 is also diverted at the point of diversion described above.
6. The total combined rate of diversion under this right and Right 79-07173 shall not exceed .04 cfs.
7. Domestic use is for 1 home.

Spring
Shuckwater use
Not in Charge of
Water right ownership
MAY 07 1989

-

BASIS OF BEARING

N89°52'10"E 2633.53'

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.

Gov't
Lot 2



Plu 79-7174

approximate
location
of
house

S 48°30'12"E
121.81'

(N48°30'W 3.32CH)
N48°30'12"W
218.51'

Gov't
Lot 3

NOTE:
Original deed did not close by approximately
25 feet. boundaries shown on this survey
reflect a compass rule adjustment

482581

WARRANTY DEED

GRANTOR, DARWIN VANDER ESCH and SANDRA VANDER ESCH, husband and wife, of P. O. Box 1454, Riggins, ID 83549, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to RICHARD E. LARITZ, II and DENICE LARITZ, husband and wife, of 302 Barger Street, Riggins, ID 83549, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2012, which are a lien, not yet due and payable.
2. Easement, including the terms and conditions thereof, by and between EDWARD L. SEYFRIED and IRIS H. SEYFRIED, husband and wife, and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, recorded July 20, 1956, under Instrument No. 188249, Book 90 page 44, records of Idaho County, Idaho.
3. Rights and easements in favor of the public for recreational uses of the Race Creek.
4. Power poles as the same now exist.
5. Matters as shown on Survey No. S-2650, recorded October 22, 2007, under Instrument No. 457856; and Survey No. S-2771, recorded October 24, 2008, under Instrument No. 463788; all records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except general taxes for the year 2012, and easements, reservations, restrictions and rights-of-way of record or in use.

WARRANTY DEED

1

Instrument # 482581

IDAHO COUNTY, IDAHO,

1-27-2012

10:30:44 No. of Pages: 3

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 16.00

Ex-Officio Recorder Deputy

1 Except as otherwise expressly provided in this instrument,
2 GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the
3 Idaho Code, that in the event GRANTORS shall have permitted or
4 suffered at any time prior to the making of this instrument, any
5 person or entity to possess, use or occupy the above-described
6 premises, or any portion thereof, for any purpose, with or without
7 the knowledge of GRANTORS, it was not the intent of GRANTORS, by
8 permitting or suffering such possession, use or occupation, to
thereby define property boundaries or ownership thereof.

9 In construing this deed, and where the context so requires,
10 the singular includes the plural and the masculine, the feminine
and the neuter.

11 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
12 names to this instrument this 27th day of January, 2012.

13 *Darwin Vander Esch*
14 DARWIN VANDER ESCH

13 *Sandra Vander Esch*
14 SANDRA VANDER ESCH

15
16 STATE OF IDAHO)
17 ss.
County of Idaho)

18 On this 27th day of January, 2012, before me,
19 *Kathrina Warford* a Notary for the said County and
20 State, personally appeared DARWIN VANDER ESCH and SANDRA
21 VANDER ESCH, husband and wife, known or identified to me to be the
22 persons whose names are subscribed to the within instrument, and
23 they acknowledged to me that they freely executed the same and that
the statements therein contained are true.

24 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
25 official seal the day and year first above written.

26 (NOTARY SEAL)

27 *Kathrina Warford*
28 Notary Public for State of Idaho.
Residing at *Shangerville* therein.
My commission expires on 07/05, 2017.

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 10:

A parcel of land located in Government Lots 2 and 3, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northwest corner of said Section 10, a found 1/2" diameter rebar;
thence N 89°52'10" E along the North boundary of said Section 10, 330.00 feet to the Northwest corner of the parcel described in the deed recorded as Instrument No. 406148, records of Idaho County, Idaho, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence traversing the southerly boundary of said parcel as follows:

S 57°23'27" E, 723.53 feet (of Record S 57°15" E, 10.93 chains) to a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

N 61°17'18" E, 144.21 feet (of Record N 61°15' E, 2.18 chains) to a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

S 58°08'19" E, (of Record S 58°00' E), 219.40 feet to the True Point of Beginning, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence N 40°45'04" E traversing across said parcel, 218.86 feet to a point on the northerly boundary of said parcel, a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;

thence traversing said northerly boundary as follows:

S 45°59'47" E, (of Record N 46°00' W), 577.73 feet;

S 70°04'05" E, 664.52 feet (of Record N 70°00' W, 10.10 chains);

S 81°51'18" E, 327.00 feet (of Record N 81°45' W, 4.97 chains);

S 75°15'04" E, 713.19 feet (of Record N 75°10' W, 10.84 chains);

S 48°30'12" E (of Record N 48°30' W), 121.81 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence leaving said boundary and bearing S 33°47'24" W, 135.02 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence N 85°46'28" W, 75.38 feet to a 5/8" diameter rebar set with a plastic cap stamped L.S. 3627;

thence S 40°57'45" W, 65.07 feet to a point on the South boundary of said deed parcel witnessed by a 1/2"x24" rebar set with a plastic cap stamped L.S. 3627 bearing N 40°57'45" E, 32.40 feet;

thence traversing said South boundary as follows:

N 75°35'04" W (of Record S 75°30' E), 709.91 feet;

S 78°29'39" W, 234.96 feet (of Record N 78°30' E, 3.55 chains);

N 53°54'04" W, 747.98 feet (of Record S 53°45' E, 11.30 chains);

N 58°08'19" W, (of Record S 58°00' E), 674.28 feet to the True Point of Beginning.

LESS: Any portion of Race Creek Road which may be included herein.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 2, 2016

RICHARD & DENICE LARITZ
PO BOX 1197
RIGGINS ID 83549

RE: Notice of Ownership Change in Water Right No's:

79-7173 & 79-7174

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the Department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office
208-334-2190

Enclosures